

## RESPONSE FORM

### DRAFT SEAWEED POLICY STATEMENT 2013

#### 1. Do you agree with policies 1-6?

**State any you agree or disagree with, and your reasons.**

In developing policy on seaweed cultivation, attention should be paid to the provisions on non-native species (Wildlife and Countryside Act 1981, as substantially amended by the Wildlife and Natural Environment (Scotland) Act 2011). The Code of Practice on Non-Native Species does not deal clearly with the cultivation of plants in the sea, so that it is not clear what forms of seaweed cultivation will not involve the introduction of plants into "the wild", with implications both for the choice of species and potentially for requirements for local provenance.

#### 2. Should policy 2 require local provenance, i.e., stock must originate from the water body the seaweed is to be grown in? YES/ NO

See above

#### 3. Do you agree with policy 7? YES/NO

**State your reasons:**

#### 4. Do you agree with policies 8 and 9?

**State any you agree or disagree with, and your reasons:**

#### 5. Do you think that the size scales (shellfish (small), medium, and extensive), are appropriate?

**Give your reasons**

#### 6. Which consenting option would be most appropriate for seaweed cultivation?

Seaweed cultivation sits where different regulatory regimes come into contact and in the absence of fundamental change to these, there seems no straightforward solution; the one site is going to require two permits, or different marine activities in the same area will be covered by different regimes, or there will be divisions which will appear arbitrary in at least some situations. I recognise the dilemma as set out in the consultation, but have no strong views on the solution.

**7. Should guidance be developed for the harvesting of wild seaweed? If not, what (if any) alternative arrangements would you suggest?**

The absence of any legal controls on the harvesting of seaweed might entail an infringement of the Habitats and Species Directive in the case of European Sites (SACs and SPAs). In the absence of any mechanism for undertaking an appropriate assessment and permitting harvesting only when satisfied that this will not affect the integrity of the site, the Government does not appear to be able to fulfil its obligations to protect such sites under article 6 of the Directive.

**8. Should the 1997 Act should be amended to provide the flexibility to farm other species or specifically named species? YES/NO**

**State what named species should be included, and provide your reasons.**

**9. Do you have any comments to make on the BRIA content?**